

Buddy Garcia, *Chairman*
Larry R. Soward, *Commissioner*
Bryan W. Shaw, Ph.D., *Commissioner*
Mark R. Vickery, P.G., *Executive Director*



TEXAS COMMISSION ON ENVIRONMENTAL QUALITY
Protecting Texas by Reducing and Preventing Pollution

January 14, 2009

THE HONORABLE ROYCE WEST
TEXAS SENATE
PO BOX 12068
AUSTIN TX 78711-2068

Re: Permit Amendment Application

Dear Senator West:

Pursuant to the requirements of Section 382.0516 of the Texas Clean Air Act, Texas Health and Safety Code, Chapter 382, this letter is to notify you of the recent receipt of an application for a permit amendment for a facility which is located in your district. As part of the air permitting process, this applicant will be required to publish a formal public notice in a newspaper of general circulation in the municipality nearest to the facility location. The notice will inform the public of their right to ask questions, make comments, request a public hearing, or request a public meeting. This letter is being sent to you for information only and no action is required. The status of all pending air quality applications may be viewed by visiting our agency web site at www5.tceq.state.tx.us/airperm.

Building Materials Corporation of America, 2600 Singleton Boulevard, Dallas, Dallas County, Texas 75212-3738, has applied to modify an Asphalt Roofing Production Facility located at the above facility. The Air Quality Permit Number is 7711A.

If you need further information or have any questions, please call Mr. Mike Gould at (512) 239-1097 or write him at the Texas Commission on Environmental Quality, Office of Permitting and Registration, Air Permits Division, MC-163, P.O. Box 13087, Austin, Texas 78711-3087.

Sincerely,

A handwritten signature in black ink, appearing to read "Donald D. Nelon".

Donald D. Nelon, Team Leader
Air Permits Initial Review Team
Air Permits Division

DDN/MG/jh

Buddy Garcia, *Chairman*
Larry R. Soward, *Commissioner*
Bryan W. Shaw, Ph.D., *Commissioner*
Mark R. Vickery, P.G., *Executive Director*



TEXAS COMMISSION ON ENVIRONMENTAL QUALITY
Protecting Texas by Reducing and Preventing Pollution

January 14, 2009

THE HONORABLE TERRI HODGE
TEXAS HOUSE OF REPRESENTATIVES
PO BOX 2910
AUSTIN TX 78768-2910

Re: Permit Amendment Application

Dear Representative Hodge:

Pursuant to the requirements of Section 382.0516 of the Texas Clean Air Act, Texas Health and Safety Code, Chapter 382, this letter is to notify you of the recent receipt of an application for a permit amendment for a facility which is located in your district. As part of the air permitting process, this applicant will be required to publish a formal public notice in a newspaper of general circulation in the municipality nearest to the facility location. The notice will inform the public of their right to ask questions, make comments, request a public hearing, or request a public meeting. This letter is being sent to you for information only and no action is required. The status of all pending air quality applications may be viewed by visiting our agency web site at www5.tceq.state.tx.us/airperm.

Building Materials Corporation of America, 2600 Singleton Boulevard, Dallas, Dallas County, Texas 75212-3738, has applied to modify an Asphalt Roofing Production Facility located at the above facility. The Air Quality Permit Number is 7711A.

If you need further information or have any questions, please call Mr. Mike Gould at (512) 239-1097 or write him at the Texas Commission on Environmental Quality, Office of Permitting and Registration, Air Permits Division, MC-163, P.O. Box 13087, Austin, Texas 78711-3087.

Sincerely,

A handwritten signature in black ink, appearing to read "Donald D. Nelon".

Donald D. Nelon, Team Leader
Air Permits Initial Review Team
Air Permits Division

DDN/MG/jh

Buddy Garcia, *Chairman*
Larry R. Soward, *Commissioner*
Bryan W. Shaw, Ph.D., *Commissioner*
Mark R. Vickery, P.G., *Executive Director*



TEXAS COMMISSION ON ENVIRONMENTAL QUALITY
Protecting Texas by Reducing and Preventing Pollution

January 14, 2009

MR DAVID FUELLERMAN
PLANT MANAGER
BUILDING MATERIALS CORPORATION OF AMERICA
2600 SINGLETON BLVD
DALLAS TX 75212-3738

Re: Declaration of Administrative Completeness
Permit Amendment Application
Air Quality Permit Number 7711A
Asphalt Roofing Production Facility
Dallas, Dallas County
Customer Reference Number: CN602717464
Regulated Entity Number: RN100788959

Dear Mr. Fuellerman:

The Executive Director has declared the above-referenced application, received on December 19, 2008, administratively complete on January 14, 2009.

You are now required to publish notice of your proposed activity. To help you meet the regulatory requirements associated with this notice, we have included the following items:

- * Notices for Newspaper Publication (Examples A and B)
- * Sign Posting Example (Example C)
- * Public Notice Checklist
- * Instructions for Public Notice
- * Affidavit of Publication and Alternative Language Affidavit of Publication
- * Notification List
- * Public Notice Verification Form (Form TCEQ-20244)

Please note that it is VERY IMPORTANT that you follow ALL directions in the enclosed instructions. If you do not, you may be required to republish the notice. A common mistake is the unauthorized changing of notice wording or font. If you have any questions, please contact us before you proceed with publication.

A "Public Notice Checklist" is enclosed which notes the time limitations for each step of the public notice process. This checklist should be used as a tool in conjunction with the enclosed, detailed instructions.

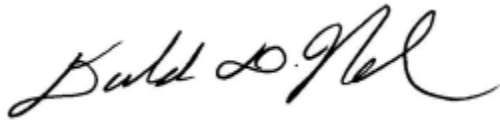
Mr. David Fuellerman
Page 4
January 14, 2009

Re: Air Quality Permit Number 7711A

If you do not comply with **all** requirements described in the instructions, further processing of your application may be suspended or the agency may take other actions. Please note that as your application undergoes the technical review, we may request additional information.

If you have any questions regarding publication requirements, please contact the Office of the Chief Clerk at (512) 239-3300. If you have any other questions, please contact Ms. Joanna Hunsberger at (512) 239-1274.

Sincerely,

A handwritten signature in black ink, appearing to read "Donald D. Nelon". The signature is fluid and cursive, with the first name "Donald" and last name "Nelon" clearly distinguishable.

Donald D. Nelon, Team Leader
Air Permits Initial Review Team
Air Permits Division

DDN/jh

Enclosures

cc: Section Manager, Air Pollution Control Program, City of Dallas Environmental and Health Services, Dallas
Air Section Manager, Region 4 - Fort Worth
Air Permits Section Chief, New Source Review, Section (6PD-R), Environmental Protection Agency, Region 6, Dallas

bcc: Ms. Charlene Smith, Notice Team, Office of Chief Clerk, Austin
Mr. Mike Gould, Air Permits Division, Austin

TEXAS COMMISSION ON ENVIRONMENTAL QUALITY



EXAMPLE A

NOTICE OF RECEIPT OF APPLICATION AND INTENT TO OBTAIN AIR PERMIT

AIR QUALITY PERMIT NUMBER 7711A

APPLICATION Building Materials Corporation of America, has applied to the Texas Commission on Environmental Quality (TCEQ) for an amendment to Air Quality Permit Number 7711A, which would authorize modification to a Asphalt Roofing Production Facility located at 2600 Singleton Boulevard, Dallas, Dallas County, Texas. The facility will emit the following contaminants: particulate matter including particulate matter less than 10 microns in diameter, sulfur dioxide, organic compounds, carbon monoxide, and nitrogen oxides.

This application was submitted to the TCEQ on December 19, 2008. The application will be available for viewing and copying at the TCEQ central office, the TCEQ Fort Worth regional office, and the Dallas West Library, 2332 Singleton Boulevard, Dallas, Dallas County, Texas, beginning the first day of publication of this notice. The facility's compliance file, if any exists, is available for public review in the Fort Worth regional office of the TCEQ.

The TCEQ executive director has determined the application is administratively complete and will conduct a technical review of the application.

PUBLIC COMMENT/PUBLIC MEETING You may submit public comments, a request for a public meeting, or request a contested case hearing to the Office of the Chief Clerk at the address below. The TCEQ will consider all public comments in developing a final decision on the application. **The deadline to submit public comments is 30 days after newspaper notice is published.**

The purpose of a public meeting is to provide the opportunity to submit comments or ask questions about the application. A public meeting about the application will be held if the executive director determines that there is a significant degree of public interest in the application or if requested by a local legislator. A public meeting is not a contested case hearing.

If only comments are received on the application, the response to comments, along with notice of the executive director's action on the application, will be mailed to everyone who submitted comments or is on the mailing list for this application.

If a hearing request is timely filed, the executive director will complete the technical review, issue a preliminary decision on the application, and a Notice of Application and Preliminary Decision will be published and mailed to those who are on the mailing list for this application. That notice will contain the final deadline for submitting public comments.

After the final deadline for public comments following any required Notice of Application and Preliminary Decision, the executive director will consider the comments and prepare a

response to all relevant and material, or significant public comments. If comments are received, the response to comments, along with the executive director's decision on the application, will then be mailed to everyone who submitted public comments or is on a mailing list for this application.

OPPORTUNITY FOR A CONTESTED CASE HEARING You may request a contested case hearing. A contested case hearing is a legal proceeding similar to a civil trial in state district court. Unless a written request for a contested case hearing is filed within 30 days from this notice, the executive director may approve the application. A contested case hearing will only be granted based on disputed issues of fact that are relevant and material to the Commission's decisions on the application. Further, the Commission will only grant a hearing on issues raised by you or others during the public comment period and not withdrawn.

A person who may be affected by emissions of air contaminants from the facility is entitled to request a hearing. If requesting a contested case hearing, you must submit the following: (1) your name (or for a group or association, an official representative), mailing address, daytime phone number, and fax number, if any; (2) applicant's name and permit number; (3) the statement "[I/we] request a contested case hearing"; (4) a specific description of how you would be adversely affected by the application and air emissions from the facility in a way not common to the general public; (5) the location and distance of your property relative to the facility; and (6) a description of how you use the property which may be impacted by the facility. If the request is made by a group or an association, the one or more members who have standing to request a hearing and the interests which the group or association seeks to protect, must also be identified. You may also submit your proposed adjustments to the application/permit which would satisfy your concerns.

If a hearing request is timely filed, additional notice may be provided. Following the close of all applicable comment and request periods, the executive director will forward the application and any requests for contested case hearing to the TCEQ Commissioners for their consideration at a scheduled Commission meeting. **If a hearing is granted, the subject of a hearing will be limited to disputed issues of fact relating to relevant and material air quality concerns raised during the comment period.** Issues such as property values, noise, traffic safety, and zoning are outside of the Commission's jurisdiction to address in this proceeding.

MAILING LIST In addition to submitting public comments, you may ask to be placed on a mailing list to receive future public notices for this specific application mailed by the Office of the Chief Clerk by sending a written request to the TCEQ Office of the Chief Clerk at the address below.

INFORMATION Written public comments or requests for a public meeting or contested case hearing should be submitted to the Texas Commission on Environmental Quality, Office of the Chief Clerk, MC-105, P.O. Box 13087, Austin, Texas 78711-3087, or electronically at www.tceq.state.tx.us/about/comments.html. For more information about this permit application or the permitting process, please call the Office of Public Assistance, Toll Free, at 1-800-687-4040. Si desea información en Español, puede llamar al 1-800-687-4040. General information regarding the TCEQ can be found at www.tceq.state.tx.us.

Further information may also be obtained from Building Materials Corporation of America, 2600 Singleton Boulevard, Dallas, Texas 75212-3738 or by calling Mr. Doug Harris, Plant Engineer at (214) 637-8909.

Issuance Date: January 14, 2009

EXAMPLE B

Publication Elsewhere in the Newspaper:

TO ALL INTERESTED PERSONS AND PARTIES:

Building Materials Corporation of America, has applied to the Texas Commission on Environmental Quality (TCEQ) for an amendment to Air Quality Permit No. 7711A, which would authorize modification to a Asphalt Roofing Production Facility located at 2600 Singleton Boulevard, Dallas, Dallas County, Texas. Additional information concerning this application is contained in the public notice section of this newspaper.

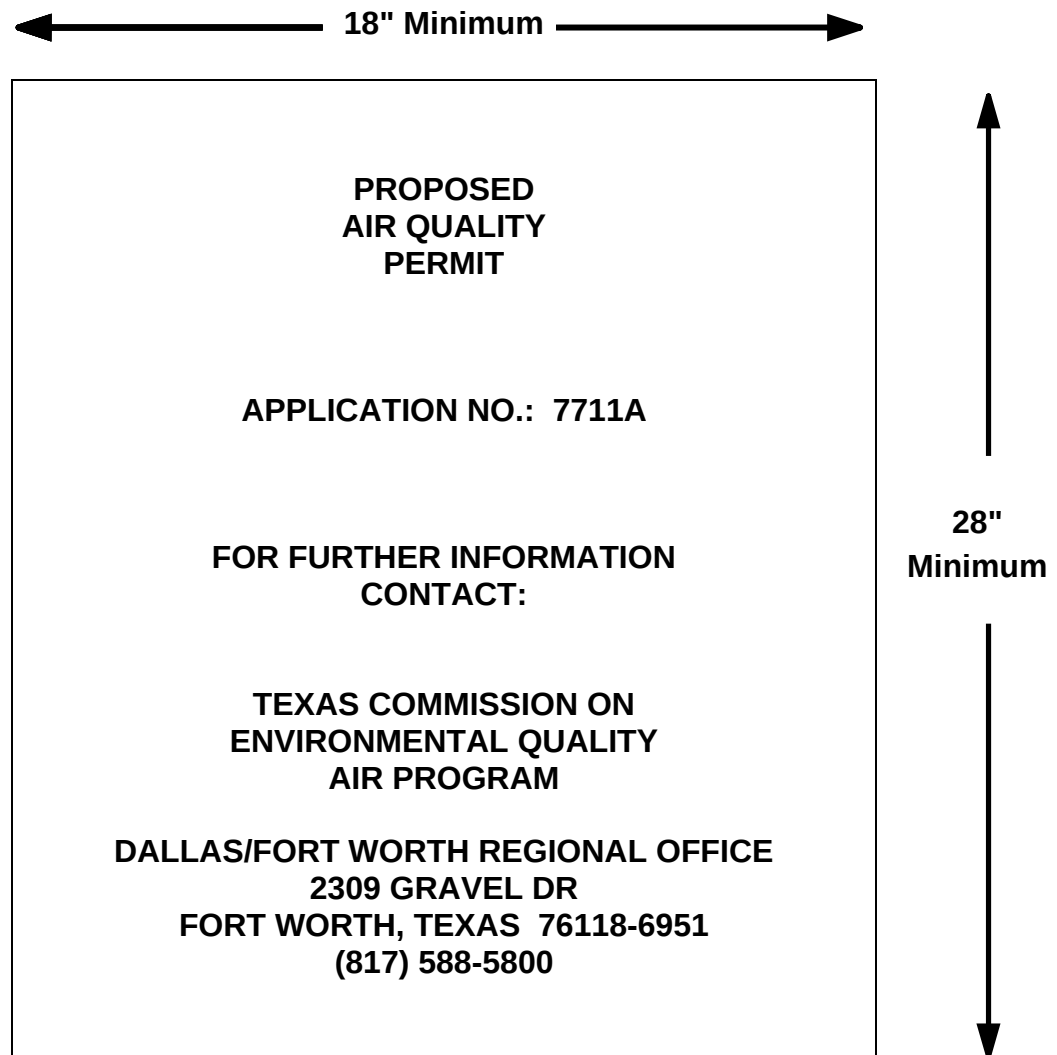
3"
minimum

← Minimum 2 column widths or 4 inches →

EXAMPLE C

SIGN POSTING

Sign(s) must be in place on day of publication of first newspaper notice and must remain in place and be legible for the 30-day public comment period (which begins on the last day of newspaper publication, either English or alternate language, whichever is later). Note - The information shown is an example only. It is your responsibility to verify that the appropriate information pertaining to your application is accurate. Each sign placed at the site must be located within 10 feet of each (every) property line paralleling a public highway, street or road. Signs must be spaced at not more than 1,500-foot intervals. A minimum of one sign, but not more than three signs shall be required along any property line paralleling a public thoroughfare.



Sign(s) must be placed at whatever height above the ground is necessary for sign(s) to be 100% visible from the street.

WHITE BACKGROUND WITH BLACK LETTERS

All lettering must be 1-1/2 inch block printed capitals.

PUBLIC NOTICE CHECKLIST

Notice of Receipt of Application and Intent to Obtain Permit (1st Notice)

The following tasks must be completed for public notice. If publication in an alternative language is required, please complete the tasks for both the English and alternative language publications. Detailed instructions are included in the "Instructions for Public Notice" section of this package.

Within 30 calendar days after date of administrative completeness letter

Publish *Notice of Receipt of Application and Intent to Obtain Permit*

- Example A must be published in "public notice" section of newspaper. Review for accuracy prior to publishing.
- Example B must be published in prominent location (other than "public notice") in same issue of newspaper.

Provide copy of application at a public place for review and copying. Keep it there until end of the designated comment period.

Prepare signs.

First day of newspaper publication

Review published newspaper notice for accuracy. If errors, contact Air Permits Division.

Post signs and keep them up for duration of the designated comment period.

Ensure copy of application is at the public place.

Within 10 business days after date of publication

Mail original newspaper clippings showing publication date and newspaper name to

Texas Commission on Environmental Quality

Office of the Chief Clerk, MC-105

Attn: Notice Team

P.O. Box 13087

Austin, Texas 78711-3087

Mail photocopies of newspaper clippings showing publication date and newspaper name to persons listed on *Notification List*

Within 30 calendar days after date of publication

Mail original affidavit of publication and alternative language affidavit of publication (if applicable) to

Texas Commission on Environmental Quality

Office of the Chief Clerk, MC-105

Attn: Notice Team

P.O. Box 13087

Austin, Texas 78711-3087

Mail photocopies of affidavits to persons listed on *Notification List*

Within 10 business days after end of the designated comment period

Mail Public Notice Verification Form to

Texas Commission on Environmental Quality

Office of the Chief Clerk, MC-105

Attn: Notice Team

P.O. Box 13087

Austin, Texas 78711-3087

Mail photocopies of Public Notice Verification Form to persons listed on *Notification List*

TEXAS COMMISSION ON ENVIRONMENTAL QUALITY



INSTRUCTIONS FOR PUBLIC NOTICE For New Source Review Air Permit

NOTICE OF RECEIPT OF APPLICATION AND INTENT TO OBTAIN PERMIT

Your application has been declared administratively complete and now you must comply with the following instructions:

Review Notice

Included in the notice is all of the information which the commission believes is necessary to effectuate compliance with applicable public notice requirements. Please read it carefully and notify the Texas Commission on Environmental Quality (TCEQ) immediately if it contains any errors or omissions. You are responsible for ensuring the accuracy of all information published. You may not change the text of the notice or font/style without prior approval from the TCEQ.

Newspaper Notice

- You must publish the enclosed *Notice of Receipt of Application and Intent to Obtain Permit* within **30 calendar days** after the date of administrative completeness. Refer to the cover letter for the date of administrative completeness.
- You must publish the enclosed *Notice of Receipt of Application and Intent to Obtain Permit* at your expense, in a newspaper that is of general circulation in the municipality where the facility is or will be located. If the facility is not located within a municipality, the newspaper should be of general circulation in the municipality nearest to the location or proposed location.
- You must publish this notice in one issue of any applicable newspaper.
- You will find two example notices enclosed in this package. *Example A* must be published in the "public notice" section of the newspaper. *Example B* must be published in the **same issue** of the newspaper as *Example A*; however, it must be published in a prominent location (other than the public notice section). *Example B* refers the public to the "public notice" section of the newspaper where *Example A* provides more information regarding the permit application.

- *Example B* must be a total of at least **6 column inches (standard advertising units)** with a height of at least **3 inches** and a horizontal dimension of **2 column widths**. If the newspaper chosen does not use standard advertising units for measurement, the notice must be at least **12 square inches** with the shortest side at least 3 inches.
- The bold text of the enclosed notice **must** be printed in the newspaper in a font style or size that distinguishes it from the rest of the notice (i.e., **bold**, *italics*). **Failure to do so may require re-notice.**

Alternative Language Notice

In certain circumstances, applicants for air permits must complete notice in alternative languages.

- Public notice rules require the applicant to determine whether a bilingual program is required at either the elementary or middle school nearest to the facility or proposed facility location. Bilingual education programs are determined on a district-wide basis. When students who are required to attend either school are eligible to be enrolled in a bilingual education program, some alternative language notice is required (signs, or signs and newspaper notice).
- Since the school district, and not the schools, must provide the bilingual education program, these programs do not have to be located at the elementary or middle school nearest to the facility or proposed facility to trigger the alternative language notice requirement. If there are students who would normally attend the nearest schools eligible to be taught in a bilingual education program at a different location, alternative language notice is required.
- If triggered, publication of alternative language notices must be made in a newspaper or publication primarily printed in each language taught in the bilingual education program. This notice is required if such a newspaper or publication exists in the municipality or the county where the facility is or will be located.
- The applicant must demonstrate a good faith effort to identify a newspaper or publication in the required language. If a newspaper or publication of general circulation published at least once a month in such language cannot be found, publishing in that language is not required, but signs must still be posted adjacent to each English language sign.
- Publication in an alternative language section or insertion within an English language newspaper does not satisfy these requirements.
- The applicant has the burden to demonstrate compliance with these requirements. To assist applicants in meeting these requirements, the TCEQ has provided the *Public Notice Verification Form* (enclosed). You

must fill out the *Public Notice Verification Form* indicating your compliance with the requirements regarding publication in an alternative language. This form is also available at www.tceq.state.tx.us/permitting/air/nav/air_publicnotice.html.

- It is suggested the applicant work with the local school district to do the following:
 - (a) determine if a bilingual program is required in the district;
 - (b) determine which language is required by the bilingual program;
 - (c) locate the nearest elementary and middle schools; and
 - (d) determine if any students attending either school are eligible to be enrolled in a bilingual educational program.
- **If you determine that you must meet the alternative language notice requirements, you are responsible for ensuring that the publication in the alternative language is complete and accurate in that language.** Since the most common bilingual programs are in Spanish, the TCEQ has provided example Spanish notice templates for your use. All italic notes should be replaced with the corresponding Spanish translations for the specific application and published in the alternative language publication. Electronic versions of the Spanish templates are available through the TCEQ Air Permits Division webpage at www.tceq.state.tx.us/permitting/air/nav/air_publicnotice.html.
- If you are required to publish notice in a language other than Spanish, you must translate the entire public notice at your own expense.

Public Comment Period

- The public comment period should last at least **30 calendar days**. With the exception of renewals whose comment period should last at least **15 calendar days**.
- The comment period will be longer if the last day of the public comment period ends on a weekend or a holiday. In this case, the comment period will end on the next business day.
- The comment period for the permit may lengthen depending on whether a public meeting is held or if second notice is required. If a public meeting is held, the comment period will be extended to the later of either the date of the public meeting or the end of the second notice period.

Proof of Publication

- Check each publication to ensure that the articles were accurately published. If a notice was not published correctly you may be required to republish.
- For each newspaper in which you published, you must submit **original newspaper clippings or tear sheets** of each published notice which shows the complete notice that was published, the date of publication, and the name of the newspaper to the TCEQ Office of the Chief Clerk within **10 business days** after the date of publication.
- You must submit an **original publisher's affidavit of publication and alternate language affidavit of publication (if applicable)** to the Office of the Chief Clerk within **30 calendar days** after the date of publication. **You must use the enclosed affidavit forms.** The affidavits must clearly identify the applicant's name and permit number. You are encouraged to submit the affidavit with the original newspaper clippings described above.
- You must submit the *Public Notice Verification Form* to the TCEQ Office of the Chief Clerk within **10 business days** of the end of this public comment period. You must use this form to certify that you have met bilingual notice requirements.
- The **original publisher's affidavits, *Public Notice Verification Form*, and original newspaper clippings of the published notices** must be mailed to:

Texas Commission on Environmental Quality
Office of the Chief Clerk, MC-105
Attn: Notice Team
P.O. Box 13087
Austin, Texas 78711-3087

- Please ensure that the affidavit and newspaper clippings you send to the TCEQ Chief Clerk are originals and that all blanks on the affidavit are filled in correctly. Photocopies of newspaper clippings and affidavits will not be accepted.
- Photocopies of newspaper clippings, affidavits, and verifications must also be sent to those listed on the enclosed *Notification List* within the deadlines specified above.

Failure to Publish and Submit Proof of Publication

You must meet all publication requirements. **If you fail to publish the notice or submit proof of publication on time, then** the TCEQ may suspend further processing on your application or take other actions.

Sign Posting

Applicants for air quality permits must also post signs.

- You must post at least one sign in English and as applicable, in each alternative language.
- Signs must be in place on the first day of publication in a newspaper and must remain in place and be legible and be visible from the street for the entire duration of the publications' designated comment period.
- The sign template enclosed (*Example C*) is an example only. Read the sign template carefully and notify the TCEQ if it has an error or omissions. It is your responsibility to verify that the appropriate information pertaining to your application is accurate. Any changes to the text prepared by the TCEQ must be approved by the agency.
- Signs placed at the site must be located within 10 feet of each (every) property line paralleling a public street, road, or highway. Signs must be spaced at not more than 1,500-foot intervals. A minimum of one sign, but not more than three signs are required along any property line paralleling a public street, road, or highway. Sign(s) must be placed at a sufficient height above the ground that is necessary for sign(s) to be 100 percent visible from the street.
- All lettering on the sign must be at least **1½"** in height with block printed capital lettering. The sign must be at least **18"** wide and **28"** tall, and consist of black lettering on a white background.
- Alternative language signs are required if alternative notice is required, even if no newspaper can be found.
- Inspect each posted sign daily to ensure it is present and visible throughout the entire comment period.
- You must submit verification of sign posting using the *Public Notice Verification Form* within **10 business days** after end of the publications' designated comment period. Do not submit the *Public Notice Verification Form* verifying sign posting until after the comment period is over. You cannot certify that the sign posting is in compliance until after the comment period is over.

Application in a Public Place

- You must provide a copy of the administratively complete application at a public place for review and copying by the public. This place must be in the county in which the facility is located or proposed to be located.

- A public place is one that is publicly owned or operated. For example, libraries, county courthouses, or city halls.
- The administratively complete application must be available beginning on the first day of newspaper publication and remain available during the entire public comment period.
- If the application is submitted to the TCEQ with information marked as confidential, you are required to indicate which specific portions of the application are not being made available to the public. These portions of the application must be accompanied with the following statement: "Any request for portions of this application that are marked as confidential must be submitted in writing, pursuant to the Public Information Act, to the Texas Commission on Environmental Quality, Public Information Coordinator, MC-197, P.O. Box 13087, Austin, Texas 78711-3087."
- You must submit verification of file availability using the *Public Notice Verification Form* within **10 business days** after end of the publications' designated comment period. Do not submit the form verifying that the application was in a public place until after the comment period is complete. If a public meeting is held or second notice is required causing the public comment period to be extended, at a later date you will be required to verify that the application was in a public place during the entire public comment period.

General Information

When contacting the Commission regarding this application, please refer to the permit number at the top of the *Notice of Application and Intent to Obtain Permit*.

If you wish to obtain an electronic copy, please contact the initial reviewer who assisted in the preparation of this public notice package. The electronic version is available in Word format only and can be requested once your application has been declared administratively complete. Please ensure that the electronic version is correct and consistent with the hard copies that were provided. Any revisions made may not be accepted. You may download copies of the Public Notice Verification Form and Affidavit forms by visiting our agency web site at www.tceq.state.tx.us/permitting/air/nav/air_publicnotice.html.

If you have questions or need assistance regarding publication requirements, please contact the TCEQ Office of the Chief Clerk at (512) 239-3300 or the administrative reviewer listed in the cover letter.

TCEQ - Office of the Chief Clerk
MC-105 Attn: Notice Team
P.O. Box 13087
Austin, Texas 78711-3087

Applicant Name: Building Materials Corporation
of _____
America
Permit No.: 7711A
Notice of Intent to Obtain Permit

AFFIDAVIT OF PUBLICATION

STATE OF TEXAS

§

§

COUNTY OF _____

§

Before me, the undersigned authority, on this day personally appeared

_____, who being by me duly sworn,
(name of newspaper representative)

deposes and says that (s)he is the _____
(title of newspaper representative)

of the _____; that said newspaper is generally
(name of newspaper)

circulated in _____, Texas;
(in the municipality or nearest municipality to the proposed facility)

that the attached notice was published in said newspaper on the following date(s):

_____ .

(Newspaper Representative=s Signature)

Subscribed and sworn to before me this the _____ day of _____, 20_____, to certify
which witness my hand and seal of office.

(Seal)

Notary Public in and for the State of Texas

Print or Type Name of Notary Public

My Commission Expires _____

TCEQ - Office of the Chief Clerk
MC-105 Attn: Notice Team
P.O. Box 13087
Austin, Texas 78711-3087

Applicant Name: Building Materials Corporation
of _____
America
Permit No.: 7711A
Notice of Intent to Obtain Permit

ALTERNATIVE LANGUAGE AFFIDAVIT OF PUBLICATION

STATE OF TEXAS §
§
COUNTY OF _____ §

Before me, the undersigned authority, on this day personally appeared

_____, who being by me duly sworn,
(name of newspaper representative)

deposes and says that (s)he is the _____
(title of newspaper representative)

of the _____; that said newspaper is generally
(name of newspaper)

circulated in _____, Texas
(in the municipality or the same county as the proposed facility)

that the attached notice was published in said newspaper on the following date(s):

_____.

(Newspaper Representative's Signature)

Subscribed and sworn to before me this the _____ day of _____, 20_____, to certify
which witness my hand and seal of office.

(Seal)

Notary Public in and for the State of Texas

Print or Type Name of Notary Public

My Commission Expires _____



TEXAS COMMISSION ON ENVIRONMENTAL QUALITY
Public Notice Verification Form
Air Permit

Applicant Name: _____

_____ Building Materials Corporation of America

Site or Facility Name: GAF Materials

TCEQ Account Number (if applicable): DB-0378-S Permit Number: 7711A

Regulated Entity Number: RN100788959 Customer Number: CN602717464

All applicants must complete all applicable portions of this form. The completed form should be sent to the TCEQ to the attention of the Office of the Chief Clerk. For more information regarding public notice, refer to the instructions in the public notice package.

ALTERNATIVE LANGUAGE CHECKLIST	
I have contacted the appropriate school district.	* YES * NO
A bilingual education program is required by the Texas Education Code in the district.	* YES * NO
School District:	Phone No.:
Person Contacted:	Date:
The name of the elementary school nearest to the proposed or existing facility is:	
The name of the middle school nearest to the proposed or existing facility is:	
The following language(s) is/are utilized in the bilingual program:	
If an applicable bilingual program exists, then applicants must publish a notice and/or post signs, as outlined in the <i>Instructions for Public Notice</i> and certify as applicable on this form.	
ALTERNATIVE LANGUAGE VERIFICATION	
I verify that the area addressed by this permit application is subject to alternative language public notice requirements.	* YES * NO
I verify that the applicant has conducted a diligent search for a newspaper or publication of general circulation in both the municipality and county in which the facility is located (or proposed to be located).	* YES * NO
I verify that no such newspaper or publication was found in any of the alternative language(s) in which notice is required.	* YES * NO
I verify that the publisher of the newspapers listed below refuse to publish the notice as requested, and no other newspaper or publication in the same language and of general circulation was found in the municipality or county in which the facility is located (or proposed to be located).	* YES * NO * N/A
Newspaper:	Language:
I verify that bilingual sign(s) required by the TCEQ were posted. <i>(if applicable)</i>	* YES * NO
I verify that original tear sheets of the newspaper alternative language notice(s) and the requested affidavits have been sent to the TCEQ.	* YES * NO
Signed by:	Applicant:



TEXAS COMMISSION ON ENVIRONMENTAL QUALITY
Public Notice Verification Form
Air Permit

Title:

Date:



TEXAS COMMISSION ON ENVIRONMENTAL QUALITY
Public Notice Verification Form
Air Permit

Applicant Name: Building Materials Corporation of America

Site or Facility Name: GAF Materials

TCEQ Account Number (if applicable): DB-0378-S Permit Number: 7711A

Regulated Entity Number: RN100788959 Customer Number: CN602717464

NEW SOURCE REVIEW PERMIT NOTICE VERIFICATION

I verify that the required signs (for 1st notice) were posted in accordance with the regulations and instructions of the TCEQ

* YES * NO

I verify that original tear sheets of the newspaper notices and the requested affidavits have been furnished in accordance with the regulations and instructions of the TCEQ.

* YES * NO

Notice of Receipt of Application and Intent to Obtain Permit (1st Notice):

I verify that a copy of the complete air quality application, and any revisions, were available for review and copying at the public place indicated below throughout the duration of the public comment period.

* YES * NO

Notice of Application and Preliminary Decision (2nd Notice, if applicable):

I verify that a copy of the complete air quality application and draft permit, and any revisions, are available for review and copying at the public place indicated below from the first day after newspaper publication; and

I also verify that the air quality application and draft permit, and any revisions, will remain in the designated public place until either:

* YES * NO

- (1) the TCEQ acts on the application; or
- (2) the application is referred to the State Office of Administrative Hearings (SOAH) for hearing.

Name of Public Place:

Address of Public Place:

Signed by:

Title:

Date:

FEDERAL OPERATING PERMIT (TITLE V) NOTICE VERIFICATION

I verify that the required signs were posted in accordance with the regulations and instructions of the TCEQ.

* YES * NO

I verify that original tear sheets of the newspaper notices and the requested affidavits have been furnished in accordance with the regulations and instruction of the TCEQ.

* YES * NO

I verify that a copy of the complete air quality application and draft permit, and any revisions, were available for review and copying at the public place indicated below throughout the duration of the public comment period.

* YES * NO

Name of Public Place:

Address of Public Place:

Signed by:



TEXAS COMMISSION ON ENVIRONMENTAL QUALITY
Public Notice Verification Form
Air Permit

Title:

Date:

NOTIFICATION LIST

It is the responsibility of the applicant to furnish the following offices with copies of the notices published, the *Affidavits of Publication*, the *Alternative Language Affidavit of Publication (if applicable)*, and a completed copy of the *Public Notice Verification Form*. Originals should be sent to the Texas Commission on Environmental Quality, Office of the Chief Clerk, MC-105, P.O. Box 13087, Austin, Texas 78711-3087. **Copies** should be sent to the following:

U.S. Environmental Protection Agency
Region 6
Attn: Air Permits (6PD-R)
1445 Ross Avenue, Suite 1200
Dallas, Texas 75202-2733

Texas Commission on Environmental
Quality
Office of Permitting and Registration
Air Permits Division, MC-163
Mr. Mike Gould
P.O. Box 13087
Austin, Texas 78711-3087

Texas Commission on Environmental
Quality
Air Section Manager
Dallas/Fort Worth Regional Office
2309 Gravel Dr
Fort Worth, Texas 76118-6951

Section Manager
Air Pollution Control Program
City of Dallas Environmental and Health
Services
320 E. Jefferson Blvd, Room LL13
Dallas, Texas 75203-2632

**PERMIT APPLICATION ROUTING AND SUMMARY SHEET
AIR PERMITS**

This sheet should accompany all notices to be processed by the office of the chief clerk on the left side of the file folder.

NAME OF APPLICANT: Building Materials Corporation of America	
FACILITY/ SITE NAME: Asphalt Roofing Production Facility	
TCEQ PERMIT NUMBER:7711A	
APPLICATION RECEIVED DATE: December 19, 2008	
CUSTOMER REFERENCE NUMBER:CN602717464	
REGULATED ENTITY NUMBER: RN100788959	
Account Number: DB-0378-S	
COUNTY: Dallas	REGION:4
LOCAL PROGRAM 1: Dallas	LOCAL PROGRAM 2:
PERMIT TYPE: Permit Amendment Application	
INTERNAL PROGRAM ROUTING	
AIR PERMITS TEAM LEADER: Mike Gould	PHONE NO. (512) 239-1097
TEAM LEADER: Donald D. Nelon	DATE: 1/14/2009
ADMINISTRATIVELY REVIEWED BY: Joanna Hunsberger	
PHONE NO. (512) 239-1274	
ADMINISTRATIVELY COMPLETE DATE: 1/14/2009	
*801 APPLIES	

APPLICANT & CONTACT INFORMATION

This sheet should accompany all notices to be processed by the office of the chief clerk on the right side of the file folder.

APPLICANT'S MAIN CONTACT & ADDRESS TO BE SHOWN ON PERMIT:	
NAME/TITLE: David Fuellerman, Plant Manager	
COMPANY: Building Materials Corporation of America	
STREET/ROAD: 2600 Singleton Boulevard	
CITY/STATE/ZIP: Dallas, Texas 75212-3738	
TELEPHONE: (214) 637-1060	FAX: (214) 637-5202
APPLICANT'S TECHNICAL REPRESENTATIVE/ CONSULTANT:	
NAME/TITLE: Doug Harris, Plant Engineer	
COMPANY: Building Materials Corporation of America	
STREET/ROAD: 2600 Singleton Boulevard	
CITY/STATE/ZIP: Dallas, TX 75212-3738	
PHONE: (214) 637-8909	FAX: (214) 637-5202
PERSON RESPONSIBLE FOR PUBLISHING NOTICE:	
NAME/TITLE: Doug Harris, Plant Engineer	
COMPANY: Building Materials Corporation of America	
STREET/ROAD: 2600 Singleton Boulevard	
CITY/STATE/ZIP: Dallas, Texas 75212-3738	
TELEPHONE: (214) 637-1060	FAX: (214) 637-5202